

SENATE CHAMBER,

August 22, 1866.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

The following message from his Excellency Governor Throckmorton, was received ; and

Upon motion of Senator Jowers, taken up and read.

Gentlemen of the Senate :

I have the honor to ask your advice and consent to the appointment of the following named persons as officers of the State Penitentiary :

For Superintendent, James Gillespie, of Walker county.

For Financial Agent, Dr. D. C. Dickson, of Grimes county.

For Directors, A. M. Baker, L. A. Abercrombie, Wm. M. Barrett, citizens of Walker county.

J. W. THROCKMORTON, Governor.

Upon motion of Senator Burney it was made special order for 11 o'clock, to-morrow.

A message was received from the House of Representatives announcing to the Senate the passage by the House of a Senate bill making an appropriation for the per diem pay and mileage of the members and the per diem pay of the officers of the present Legislature ; and a joint resolution, originating in the Senate for the relief of the city of San Antonio ; also of the passage of the following bills, originating in the House, which, on motion of Senator Foscoe, were taken up, read and referred as indicated.

A bill to incorporate the Houston Gas-Light Company.

Referred to Committee on Commerce and Manufactures.

A bill to emancipate R. W. R. Fenner and Chas. N. Hill.

Referred to Judiciary Committee.

A bill to incorporate the East Texas Petroleum and Mining Company.

Referred to Committee on Commerce and Manufactures.

A bill to incorporate the Texas Transportation Company.

Referred to Committee on Internal Improvements.

Also, that the House had adopted the following resolution :

Resolved, That a committee of three be appointed to act with a committee of Senate to inquire into the propriety of increasing the salaries of officers whose salaries were not increased by

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ended Constitution, and that Messrs. Jordan, Hancock and Barrett were appointed a committee on part of the House.

Referred to Finance Committee.

Senator Neyland offered the following resolution:

Resolved, That the bar of the Senate be opened to General B. Hood during his stay at the capital, and that the Sergeant-Arms provide a seat for him within the same; and that the Secretary of the Senate inform him of the adoption by the Senate of this resolution.

Adopted unanimously.

Senator McDade introduced a bill for the relief of the Brazos Manufacturing Company.

Read first and second times, and referred to Committee on Manufactures and Commerce.

Senator McDade introduced a bill supplementary to, and amendatory of, an act passed April 30, 1846, entitled "An Act fixing the mode of conveying property in which the wife has interest.

Read first and second times, and referred to Judiciary Committee.

Senator Dalrymple introduced a bill requiring property offered for forced or sheriff sales to bring two-thirds of its appraised value.

Read first and second times, and referred to Judiciary Committee.

Senator Blount introduced a bill repealing certain Articles in Penal Code.

Read first and second times, and referred to Judiciary Committee.

Senator Reed offered the following resolution:

Resolved, That the Committee on Public Debt be instructed to inquire into the amount and condition of the State treasury warrants now standing as a debt against the State; whether or not any have been funded, and if so, the amount of the same, and to report at as early a day as practicable. Adopted.

ORDERS OF THE DAY.

A bill to incorporate the Brownsville Bridge Company.

Taken up, and read third time, and passed by the following two-third vote:

YEAS—Senators Braswell, Blount, Brown, Bumpass, Burney, Cooley, Coppedge, Dalrymple, Foscue, Guinn, Jowers, Lane, Littleton, McDade, Nelson, Neyland, Parker, Ran-

dolph, Reed, Saufley, Selman, Shannon, Shelley, Stell, Truitt and Yarbrow—28.

On motion of Senator Neyland, a committee of three was appointed to wait on General John B. Hood, and invite him to a seat within the bar.

Senators Neyland, Shelley and Burney were appointed said committee.

The committee appeared at the bar, and Senator Shelley introduced General Hood, and the President *pro tem.* welcomed him, and he took his seat within the bar of the Senate.

On motion of Senator Shannon, the Senate took a recess until ten minutes of 12 o'clock.

Recess expired Roll called—quorum present.

Message was received from the House, extending an invitation to the Senate to meet the House in joint session for the purpose of continuing the vote for United States Senator, and if no election, to proceed with the election.

Upon motion of Senator Burney, the Senate accepted the invitation, and, preceded by the President, repaired to the Representative Hall.

Roll called—quorum present.

The vote of yesterday for United States Senators was announced, when it appeared that there had been no election of Senator for the unexpired term ending March 4th, 1869.

For the unexpired term ending March 4th, 1871, it appeared that the Hon. David G. Burnett had received 65 votes, Hon. John Hancock had received 43 votes, and Hon. E. M. Pease received 7 votes. Mr. Burnett having received a majority of the votes cast by both Houses of the Legislature, was declared by the Speaker of the House of Representatives duly and constitutionally elected United States Senator for the unexpired term ending March 4th, 1871. The two Houses in joint session then proceeded to the election of a Senator to fill the unexpired term ending March 4th, 1869.

Nominations being in order, Senator Neyland nominated Hon. O. M. Roberts.

Senator Brown nominated Wm. Steadman.

Senator Jowers nominated W. B. Ochiltree.

Senator Shannon nominated D. B. Culberson.

Senator Record nominated B. H. Epperson, and

Senator Cooley nominated E. M. Pease.

Upon counting the vote, it appeared that Mr. Roberts had received 6 votes, Mr. Steadman 3 votes, Mr. Ochiltree 4 votes,

Culberson 4 votes, Mr. Epperson 10 votes, Mr. Pease 1 vote, and Mr. Branch 2 votes.

The Senators voting for O. M. Roberts were Burney, Neyland, Selman, Shelley, Stell and Truitt—6.

Those voting for Wm. Steadman were Senators Boyd, Brown and Foscue—3.

Those voting for W. B. Ochiltree were Senators Cook, Coppedge, Guinn and Jowers—4.

Those voting for D. B. Culberson were Senators Nelson, Reed, Saufley and Shannon—4.

Those voting for B. H. Epperson were Senators Braswell, Blount, Bumpass, Dalrymple, Knox, Lane, Littleton, McDade, Parker and Record—10.

The one voting for E. M. Pease was Senator Cooley—1.

And those voting for A. M. Branch were Senators Randolph and Yarbrow—2.

Senator Stell moved that the Senate withdraw to its Chamber. Motion lost.

Senator Shannon, on part of the Senate, withdrew the name of Hon. D. B. Culberson.

The vote of the Senate was then called on a second ballot, and upon counting the vote, it stood thus :

Mr. Roberts had received 9 votes, Mr. Steadman 2 votes, Mr. Ochiltree 6 votes, Mr. Epperson 10 votes, Mr. Branch 2 votes, and Mr. Pease 1 vote.

Those voting for Mr. Roberts were Senators Burney, Nelson, Neyland, Randolph, Reed, Selman, Shelley, Stell and Truitt—9.

Those voting for Mr. Steadman were Senators Boyd and Brown—2.

Those voting for Mr. Ochiltree were Senators Cook, Coppedge, Foscue, Guinn, Jowers and Saufley—6.

Those voting for Mr. Epperson were Senators Braswell, Blount, Bumpass, Dalrymple, Knox, Lane, Littleton, McDade, Parker and Record—10.

Those voting for Mr. Branch were Senators Shannon and Yarbrow—2.

The one voting for Mr. Pease was Senator Cooley.

The roll being called on a third ballot, it appeared that Mr. Roberts had received 8 votes, Mr. Steadman 5 votes, Mr. Ochiltree 6 votes, Mr. Epperson 10 votes, and Mr. Pease 1 vote.

Those voting for Mr. Roberts were Senators Burney, Nelson, Neyland, Randolph, Reed, Selman, Stell and Truitt—8.

Those voting for Mr. Steadman were Senators Boyd, Brown, Shannon, Shelley and Yarbrow—5.

Those voting for Mr. Ochiltree were Senators Cook, Coppedge; Foscue, Guinn, Jowers and Saufley—6.

Those voting for Mr. Epperson were Senators Braswell, Blount, Bumpass, Dalrymple, Knox, Lane, Littleton, McDade, Parker and Record—10.

The one voting for Mr. Pease was Senator Cooley.

The two Houses in joint session, after balloting three times, having failed to elect a Senator for the unexpired term ending March 4th, 1869,

Upon motion of Senator Neyland, the Senate retired to its Chamber.

There being no further business before the Senate,

Upon motion of Senator Shelley, the Senate adjourned until to-morrow morning, 10 o'clock.

SENATE CHAMBER, }
August 23, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Senator Shelley presented petition of Peter Norton.

Referred to Committee on Private Land Claims.

Senator Shelley, petition of Peter Norton, praying for relief for certain moneys due him from the State of Texas.

Referred to Committee on Claims and Accounts.

Senator Bumpass introduced the following resolution.

It being very important that the State, at as early a day as is practicable for the Legislature so to do, be districted in lawful Congressional Districts, that elections may be ordered for members to represent the State in the Congress of the United States; therefore.

Be it Resolved by the Senate—the House concurring—That a Joint Select Committee, consisting of two from the Senate and three from the House be appointed, whose duty it shall be to take into consideration the subject, and proceed to lay off the State into such Districts, and report at the earliest opportunity to both branches of this Legislature.

Senator Neyland moved to strike out three, and insert the words, "a like committee." Carried.

Also to strike out two and insert four. Carried.

Resolution, as amended, adopted.